

**5076. Adulteration and misbranding of vinegar. U. S. \* \* \* v. Price & Lucas Cider & Vinegar Co., a corporation. In default of appearance, fine of \$300 imposed. (F. & D. No. 7257. I. S. No. 14497-k.)**

On July 27, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Price & Lucas Cider & Vinegar Co., a corporation, doing business in Pittsburgh, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 8, 1915, from the State of Pennsylvania into the State of Ohio, of a quantity of vinegar which was adulterated and misbranded. The article was labeled in part: "\* \* \* Pure Cider Vinegar Reduced to 4 per cent \* \* \*

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	0.79
Glycerol (gram per 100 cc)-----	0.18
Solids (grams per 100 cc)-----	2.32
Reducing sugars after inversion (grams per 100 cc)-----	1.03
Nonsugar solids (grams per 100 cc)-----	1.29
Ash (gram per 100 cc)-----	0.26
Phosphoric acid ( $P_2O_5$ ) (mgs. per 100 cc)-----	36.00
Total acid as acetic (grams per 100 cc)-----	3.98
Volatile acid as acetic (grams per 100 cc)-----	3.81
Lead precipitate: Medium.	
Color (brewer's scale 1-inch cell)-----	14.00
Color removed by Fuller's earth (per cent)-----	21.4
Ash in nonsugar solids (per cent)-----	20.2
Formic acid (mgs. per 100 cc)-----	3.3

The above results show the product to contain a material high in reducing sugars, either dilute acetic acid or distilled vinegar, and phosphates.

Adulteration of the article was alleged in the information for the reason that certain substances, to wit, a material high in reducing sugars, dilute acetic acid, or distilled vinegar and phosphates had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for cider vinegar, which the article purported to be.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein appearing on its label, to wit: "Pure Cider Vinegar. Reduced to 4 per cent," was false and misleading, in that it indicated to purchasers thereof that the article was pure cider vinegar which had been reduced to 4 per cent acid strength by the addition of water; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it consisted of pure cider vinegar, reduced to 4 per cent acid strength by the addition of water, when, in truth and in fact, it was not, but was, to wit, a mixture of cider vinegar, a material high in reducing sugars, dilute acetic acid, or distilled vinegar, and phosphates, reduced to about 4 per cent acid strength. Misbranding was alleged for the further reason that the article was, to wit, a mixture of cider vinegar, a material high in reducing sugars, dilute acetic acid, or distilled vinegar, and phosphates, reduced to about 4 per cent acid strength, and was an imitation of and offered for sale under the distinctive name of another article, to wit, cider vinegar.

On November 10, 1916, the defendant company, having failed and neglected to appear or plead or answer, it was ordered by the court that judgment in the sum of \$300 be entered against said defendant, with costs.